

## Bangladesh: Protecting the Human Rights of Thought, Conscience, and Religion: Abbas Faiz Prepared Testimony

April 30, 2004 Chairperson, Congressman Crowley, ladies and gentlemen: It is an honour to be at this meeting and to present Amnesty International's analysis of the situation of religious communities in Bangladesh. A number of self-styled Islamist groups are responsible for a range of human rights abuses against religious minorities in the country, and the government of Bangladesh appears to be yielding to their demands to limit freedom of religion. THE AHMADIS The current campaign of hate speech and attacks by Islamist groups against members of the Ahmadiyya community in Bangladesh is a serious threat to freedom of religion and expression. While the reason for the sudden rise in the anti-Ahmadi agitation is not immediately identifiable, the targeting of the community is believed to be a tactical measure by Islamist groups to force the government to introduce more stringent Islamic law in the country. The groups are hoping to obtain mass support through these agitations from the poor and disenfranchised sections of society whom they feel they could influence by appealing to their religious beliefs.

Amnesty International has just published a report which provides detailed information on how anti-Ahmadi agitators have been involved in a catalogue of human rights abuses which have remained unpunished.

While the Government of Bangladesh has acted to prevent the crowds from entering Ahmadi mosques, it has taken no action against the perpetrators of the hate campaign and attacks.

For example:

- No action has been taken to bring to justice the killers of Shah Alam, the Imam of a local Ahmadi mosque in the village of Raghanathpur Bak in Jessore District on 31 October 2003, and the beating of other Ahmadis at the time;
- No action has been taken against those involved in the "excommunication" and illegal house arrest, for about 25 days, of 17 Ahmadi families in the village of Uttar Bhabanipur in Kushtia District in October 2003;
- And no action has been taken against the local Islamist leaders and others who have engaged in chanting anti-Ahmadi hate slogans, and have marched to occupy Ahmadi mosques since October 2003.

The government's failure to bring to justice those responsible for these attacks has severely undermined safeguards in international human rights law and the Constitution of Bangladesh for freedom of religion, thought and conscience.

Fundamental rights of the Ahmadis have been further violated by a government ban on their publications which is in defiance of human rights safeguards in both the Constitution of Bangladesh and intentional human rights law. The ban is also openly discriminatory: it has prevented members of the community from issuing publications or press releases to defend themselves in the face of hate speeches and accusations levelled against them by anti-Ahmadi Islamist groups.

Amnesty International is urging the Government of Bangladesh to ensure the safety and security of the Ahmadiyya community; uphold its members' right to practice their religion without fear of persecution; lift the ban on their publications; and ensure that those responsible for attacks against Ahmadis are brought to justice.

I would like to present a copy of our new report to the hearing. HINDUS Another religious minority which has been the target of attacks in Bangladesh is the Hindu minority. Following the general elections of October 2001, hundreds of Hindu families were subjected to violent assaults, including rape, beatings and the burning of their property. They were reportedly attacked by supporters of the Bangladesh Nationalist Party (BNP) which won the majority of seats in Parliament, because of their perceived support for another political party, the Awami League. Hundreds of Hindu families reportedly fled to India. The police failed to take effective measures to protect the community. Some arrests were made but most assailants were not brought to justice. So far, there has been no independent and impartial investigation into these attacks.

While the government has taken action to protect members of the Hindu minority in the main cities, during their festivities or in times of escalated tension between Hindu and Muslim communities in neighbouring India, members of the community in Bangladesh, particularly in the rural areas, continue to be at risk of attacks. For example, in an apparently planned arson attack on a Hindu family in Banskhal Upazila near Chittagong around midnight on 19 November 2003, 11 members of the family were burnt to death. The government called it an act of banditry, but evidence suggested it was a motivated attack against the family because of their identity as Hindus. Police filed a case but despite repeated demands from civil society groups, no independent inquiry has been conducted into this or other attacks against members of the Hindu minority.

Prominent members of the Hindu community have been attacked. In November 2001, Gopal Krishna Muhuri, Principal of Nazirhat College in Chittagong was shot dead at his home. The circumstances surrounding his killing pointed to the

strong possibility that he was targeted because of his identity as a prominent Hindu. The assailants were allegedly linked to Jamaat-e-Islami, a party in the coalition government. **FREEDOM OF THOUGHT AND CONSCIENCE** · Not only are members of the religious communities targeted but those defending their rights, or expressing views in opposition to groups hostile to minorities, are also at risk of attacks or imprisonment. Dr Humayun Azad, a leading Bangladeshi writer and Dhaka University professor was attacked in Dhaka on 27 February while he was waiting for a rikshaw to go home after leaving a national book fair. The attack left Dr Azad in a critical condition.

He was stabbed three times by unidentified assailants who also detonated a home-made bomb which sent people running for cover and allowed the assailants to flee. The exact motive for the attack is not known, but it is believed to have been carried out by religious groups who had been sending death threats to him. Threats were reportedly made against him after the publication of his book "Pak Sar Zamin Saad Baad" ('the first line of the Pakistani national anthem'), a novel based on religious groups in Bangladesh who collaborated with the Pakistani army during the 1971 independence war. According to reports in the Bangladeshi press, religious groups had been agitating against the publication of the book and lobbying for the introduction of a blasphemy law to ban such publications.

There was widespread concern about the attack in Dhaka. Students groups held protests against this attack and there were reports in the Bangladeshi press that police and ruling party activists attacked and injured scores of protestors. Amnesty International urged the government to bring to justice those responsible for the attack, and to prevent future attacks. The organization also urged the government to ensure that activists of the ruling party are prevented from attacking demonstrators.

The attack on Dr Azad highlighted once again the vulnerability of individuals engaged in the peaceful expression of their views regarding the activities of extremist religious groups in Bangladesh. Other intellectuals peacefully expressing their views about religious groups and in defence of the rights of minorities have in fact been imprisoned, highlighting a policy on the part of the government to suppress their activities. In November 2001, Shahriar Kabir, a prominent writer and journalist, was detained by police on his return from India. His detention appeared to be solely because he had been investigating the situation of Hindus who fled persecution in Bangladesh following the general elections of 2001. Amnesty International declared him a prisoner of conscience. He was held in detention until late January 2002, but the politically motivated charges of sedition against him still remain pending before a court. This itself constitutes a form of harassment as he has to appear before the court once a month and has to seek the return of his passport each time he plans to travel abroad.

In December 2002, Shahriar Kabir and Muntasir Mamun, a university professor and human rights defender, were held in detention after they had given interviews to journalists about the human rights situation in Bangladesh including attacks against members of the Hindu minority. Omar Tarek Chowdhury, deputy director of the non-governmental organization Proshika, a centre for human development, was detained between 13 March and 4 April for carrying documents relating to attacks against members of the Hindu minority. · In late November 2002, five people involved in making a documentary about the political situation in Bangladesh for the United Kingdom (UK) television station Channel 4 were arrested. They included three Bangladeshi nationals - Pricila Raj, an interpreter, Saleem Samad, a journalist and local guide, and Mujib, a driver. The authorities accused them of seeking to tarnish Bangladesh's image abroad, but no formal charges were brought against any of them. Their work was believed to have covered details of attacks against members of the Hindu community. **EROSION OF HUMAN RIGHTS SAFEGUARDS** As Amnesty International has pointed out in its latest report, poor governance, corruption and nepotism have severely undermined the rule of law including safeguards in the Constitution to protect fundamental rights in Bangladesh. The ruling parties have routinely ignored human rights abuses by their own supporters or supporters of parties in alliance with them, allowing them impunity for such acts. A poorly trained and corrupt police force and a severely overloaded judicial system deprive the underprivileged and minority communities of access to justice. The failure of the government and the opposition to engage in a dialogue to reduce political tension in the country and strengthen the democratic process has further undermined the ability of institutions of the state to uphold the rule of law including safeguards against human rights violations. Consequently, a climate of impunity for acts of human rights violations in the country has prevailed.

Violations have included torture, deaths in custody, arbitrary detention of government opponents and others, excessive use of force leading at times to extra-judicial executions, the death penalty, and acts of violence against women. Minority communities have often been the victims. **WHAT THE GOVERNMENT OF THE UNITED STATES SHOULD BE ENCOURAGED TO DO** Given the considerable influence of the Government of the United States in Bangladesh, it would be appropriate for the US Government to encourage the Bangladeshi Government to ensure that the right to freedom of religion is protected and promoted at all times. In particular, the Bangladeshi authorities should: Lift the ban on the publications of the Ahmadiyya community; Institute an independent, impartial and competent inquiry into attacks against Ahmadis, and promptly bring to justice those involved in the attacks; Institute an independent, impartial and competent inquiry into attacks against Hindus, and promptly bring to justice those involved in the attacks; Ensure the protection of, and drop politically motivated charges against, individuals defending the rights of minorities or expressing views critical of religious groups; promptly bring to justice anyone involved in attacking them.